

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

SCOTT EIZEMBER,

JEFFREY K. HOOD,

Plaintiffs,

VS.

STEVEN HARPE, Director, Oklahoma
Department of Corrections,

JIM FARRIS, Warden, Oklahoma State Penitentiary,

JUSTIN FARRIS, Chief of Operations,
Oklahoma Department of Corrections,

Defendants.

Civil No. 5:23-cv-00025-PRW

THIS IS A CAPITAL CASE.

Mr. Eizember is scheduled to
be executed on
**THURSDAY, JANUARY 12,
2023.**

NOTICE OF VOLUNTARY DISMISSAL

Counsel for Plaintiffs Eizember and Hood hereby notify the Court and opposing Counsel that they hereby withdraw the above-titled action

Counsel for Defendants have given their consent to this dismissal.

January 11, 2023.

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Certificate of Service

I hereby certify that on January 11, 2023, I electronically filed the foregoing Notice using the CM/ECF system, which will send notification of such filing to all counsel of record.

Further, I hereby certify that I mailed or served a copy of this Notice to:

Scott James Eizember, DOC 497824
Oklahoma State Penitentiary
P.O. Box 97
McAlester, OK 74502

/s/ Randall T. Coyne
Randall T. Coyne
Attorney for Mr. Scott Eizember
and Rev. Dr. Jeff Hood